

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**SCOOTER LYNN ROBINSON**

**PLAINTIFF**

**V.**

**NO. 4:18-CV-228-DMB-RP**

**PELICIA HALL, et al.**

**DEFENDANTS**

**ORDER OF DISMISSAL**

On January 23, 2019, United States Magistrate Judge Roy Percy issued a Report and Recommendation recommending that this case brought by Scooter Lynn Robinson be dismissed without prejudice. Doc. #5. Specifically, Judge Percy recommended dismissal under Federal Rule of Civil Procedure 41(b) for Robinson’s failure to prosecute and failure to comply with a November 14, 2018, order<sup>1</sup> which required that Robinson “complete and return forms necessary to the expeditious administration of this case within 30 days.” *Id.* at 1. The same day, a copy of the Report and Recommendation was mailed to Robinson at the address he listed for himself in his complaint.<sup>2</sup> No objections to the Report and Recommendation have been filed.

Under 28 U.S.C § 636(b)(1)(C), “[a] judge of the court shall make a de novo determination of those portions of the report ... to which objection is made.” “[W]here there is no objection, the Court need only determine whether the report and recommendation is clearly erroneous or contrary to law.” *United States v. Alaniz*, 278 F.Supp.3d 944, 948 (S.D. Tex. 2017) (citing *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989)). The Court, having reviewed the Report and Recommendation, concludes that it is neither clearly erroneous nor contrary to law. Accordingly, the Report and Recommendation is [5] is **ADOPTED** as the order of this Court. This case is

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<sup>1</sup> Doc. #4.

<sup>2</sup> See Doc. #1 at 2, 24, 25.

**DISMISSED without prejudice** for Robinson's failure to prosecute and failure to comply with the November 14 order.

**SO ORDERED**, this 26th day of February, 2019.

/s/Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**